

# ORDINANCE C-47a-14

## AN ORDINANCE TO ESTABLISH SECTION 505.16 OF THE CODIFIED ORDINANCES OF GROVE CITY OHIO TITLED BEES

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WHEREAS, in order to preserve the safety and security of the community, it is necessary to enact a new Section of the Codified Ordinances to address the keeping of bees.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, COUNTY OF FRANKLIN, AND STATE OF OHIO, THAT:

SECTION 1. Section 505.16 is hereby enacted and shall read:

### 505.16 BEES

(a) *General Requirements.* The keeping of honeybees on single-family residential properties is permitted as a hobby if all colonies are registered with the Ohio Department of Agriculture and all of the requirements of this Section are met. Keeper must maintain valid certification with the Ohio Department of Agriculture.

(b) *Location, Setbacks, Number.*

- (1) Beehives may be located in a rear yard only.
- (2) The front of any beehive shall face away from the property line of the adjoining residential property(ies);
- (3) Hives shall be located a minimum of ten feet (10') off the property line;
- (4) There shall be no more than two (2) hives on any one parcel measuring under one (1) acre, with a height not to exceed five feet (5'), and not exceed 16,020 cubic inches per hive. A Parcel measuring one acre or more shall have no more than two (2) hives per acre, with a height not to exceed five feet.
- (5) The Colony's shall have Restrictive Access by either a 6' perimeter fencing or a solid 6' hedge row on or contiguous to the hive owner's property, except for parcels having one (1) acre or more.

(c) *Water.* Each beekeeper shall have on their property a convenient source of water is available in close proximity to the beehive(s) at all times during the year so that the bees are less likely to congregate off premises. Water source should have acceptable access for bees, should be of concrete construction (ie concrete bird bath or fountain) or have stone surfaces protruding from the water to promote desirable landing surface.

(d) *Maintenance of colonies.* The maintenance of each colony shall meet the following conditions:

- (1) Colonies shall be maintained in movable frame hives;
- (2) Adequate space shall be maintained in the hive to prevent overcrowding;
- (3) Colonies shall be re-queened following any aggressive behavior. No Africanized bees shall be intentionally introduced into the beehives. Should Africanized bees be found dwelling in any beehive, the beekeeper shall take immediate action to eradicate the Africanized bees as swiftly as possible.

(e) *Compliance.* Notwithstanding compliance with the various requirements of this Section, a beekeeper shall be prohibited from keeping any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others or interfere with the normal use and enjoyment of any public or private property.



(f) *Complaint.* Whenever a Police Officer determines, following an investigation, that a Nuisance condition exists, written notice shall be served upon the owner, lessee, agent or tenant having charge of such land notifying him or her of the nuisance conditions and requiring that the hives or other contrivances, where the bees are kept or harbored, be removed within ten days after receipt of the notice. Such notice shall be served by delivering the same personally to such person if he or she resides within the corporate limits of the City, by leaving such notice at his or her usual place of residence or by sending the same by certified mail, return receipt requested, addressed to his or her usual place of residence or to the address listed in the Franklin County tax records.

Any person failing to comply with a notice of abatement served in accordance with the requirements herein shall be deemed guilty of an unclassified misdemeanor and fined in an amount not to exceed \$100 per day, with each day constituting a separate offense. If the notice of violation is not complied with, the Law Director shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such nuisance. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(g) *Appeal.* There is hereby created a three member Board to hear appeals under this Section. The Board shall consist of the Safety Director and two appointed members. One appointed member shall be familiar with the Chapter 909 of the Ohio Revised Code and/or a member of a state or local beekeeping association.

Any person directly affected by a decision of the Safety Division or a notice or order issued under this Section shall have the right to appeal to the Board within ten (10) days of receipt of the notice required hereunder, and a stay on the enforcement action shall be in effect during the pendency of the appeal. The Board shall conduct a hearing on the appeal in accordance with the procedures set forth in Chapter 119 of the Ohio Revised Code.

(h) *Penalty.* Whoever violates this section is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense. In addition, any violation of this Section shall result in the immediate removal of all hives.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

Passed:

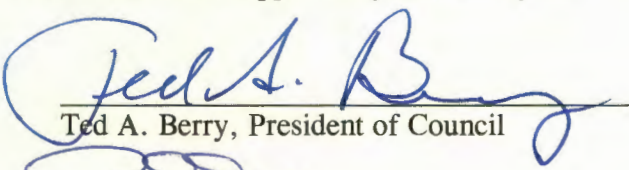
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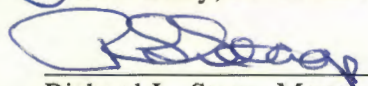
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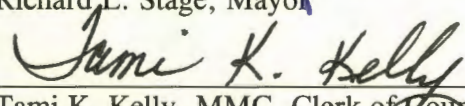
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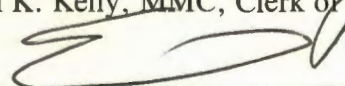
Attest:

I Certify that this ordinance is correct as to form.

  
Ted A. Berry, President of Council

  
Richard L. Stage, Mayor

  
Tami K. Kelly, MMC, Clerk of Council

  
Stephen J. Smith, Director of Law